

FRANKLIN COUNTY MUNICIPAL COURT
SMALL CLAIMS DIVISION
375 SOUTH HIGH STREET
COLUMBUS, OHIO 43215

DATE: December 3, 2020

****NOTICE AND SUMMONS IN ACTION FOR MONEY ONLY****

TO THE FOLLOWING INDIVIDUAL:

2020 CVI 030216 C001320545
BRANDON WILLIAM HERMANN
5907 N 138TH AVE
LITCHFIELD PARK, AZ 85340

THE COURT WILL HOLD TRIAL UPON THIS CLAIM AT THE SMALL CLAIMS DIVISION OF THE FRANKLIN COUNTY MUNICIPAL COURT ON *Wednesday, January 06, 2021*, AT *1:30 pm* BEFORE MAGISTRATE **DENISE WADDY**, IN COURTROOM 11A LOCATED ON THE 11TH FLOOR, 375 SOUTH HIGH STREET.

IF YOU DO NOT APPEAR AT TRIAL, JUDGMENT MAY BE ENTERED AGAINST YOU BY DEFAULT, AND YOUR EARNINGS MAY BE SUBJECTED TO GARNISHMENT OR YOUR PROPERTY MAY BE ATTACHED TO SATISFY SAID JUDGMENT. IF YOUR DEFENSE IS SUPPORTED BY WITNESSES, ACCOUNT BOOKS, RECEIPTS, OR OTHER DOCUMENTS, YOU MUST PRODUCE THEM AT THE TRIAL. SUBPOENAS FOR WITNESSES, IF REQUESTED BY A PARTY, WILL BE ISSUED BY THE CLERK.

IF YOU ADMIT THE CLAIM, BUT DESIRE TIME TO PAY, YOU MAY MAKE SUCH REQUEST AT THE TRIAL. IF YOU BELIEVE YOU HAVE A CLAIM AGAINST THE PLAINTIFF, YOU MUST FILE A COUNTERCLAIM WITH THE COURT AND SERVE THE PLAINTIFF AND ALL OTHER PARTIES WITH A COPY OF THE COUNTERCLAIM AT LEAST SEVEN DAYS PRIOR TO THE DATE OF THE TRIAL OF THE PLAINTIFF'S CLAIM.

LORI M. TYACK, CLERK OF COURT
BY: P M, DEPUTY BAILIFF

C001320545

THE DEFENDANT SHOULD DISREGARD THIS SECTION. IT IS FOR BAILIFF'S USE ONLY

I RECEIVED THIS SUMMONS ON _____ AT _____ m.; AND WITH REGARD TO MAKING SERVICE UPON THE DEFENDANT

- () I LOCATED HIM/HER AND TENDERED A COPY OF SUMMONS AND ACCOMPANYING DOCUMENTS. DATE OF PERSONAL SERVICE: _____
- () I LEFT AT HIS/HER USUAL PLACE OF RESIDENCE WITH A PERSON OF SUITABLE AGE AND DISCRETION THIS RESIDING THEREIN, A COPY OF THE SUMMONS, A COPY OF THE COMPLAINT, AND ACCOMPANYING DOCUMENTS. DATE OF RESIDENCE SERVICE: _____
- () I WAS UNABLE TO SERVE A COPY OF THE SUMMONS UPON THE DEFENDANT FOR THE FOLLOWING REASONS: _____

DATE: _____ BY: _____
SERVICE BAILIFF

FRANKLIN COUNTY MUNICIPAL COURT
SMALL CLAIMS DIVISION

Case No. 2020 CVI 030216

Kenneth Johansen
5202 Avery Oak Drive
Dublin, Ohio 43016
614-791-1037
johakw@gmail.com

HB Insurance Solutions LLC
5907 N 138th Ave
Litchfield Park, Arizona 85340

Brandon William Hermann
5907 N 138th Avenue
Litchfield Park, Arizona 85340

Plaintiff(s) v. Defendant(s)

*Interpreter:

- (1) Has this dispute been to mediation? **No**
(2) Is the Defendant currently in the United States Military Service? **No**
(3) Do you want to waive notice of failed service if certified mail is selected? **Yes**
(4) What type of service do you want to select? **Certified Mail**

COMPLAINT

Between April 20, 2020 and May 4, 2020, Plaintiff, Kenneth Johansen, received at least eleven (11) autodialed telemarketing calls to his Do Not Call registered phone number, 614-791-1037. HB Insurance Solutions LLC or its agent initiated these calls and offered to sell the Plaintiff a final expense life insurance policy.

The Defendant's caller identification number was a non-working number. The Defendant concealed his company name during the call. The plaintiff believes the Defendant wanted to keep his identity secret because he knew he was violating the Telephone Consumer Protection Act regulations.

On information and belief, Brandon William Hermann is CEO and owner of for HB Insurance Solutions LLC. He has complete control of corporation's telemarketing program; he has knowledge of the illegal calls made by the company; and, he is allowing these illegal calls to continue.

The defendant violated 47USC§227(c)(3)(F) eleven, (11) times by initiating calls to a Do Not Call listed telephone number. 47USC§227(c)(5) entitles the plaintiff to receive \$1500 damages for each time the defendant knowingly violated the statute. The defendant committed unfair and deceptive acts in connection with a consumer transaction (R. C. 1345.02) by knowingly failing to comply with the TCPA. Plaintiff is entitled to \$200 damages for each of eleven, (11) violations of the CSPA R.C. 1345.09(B). The TSSA is a state statute that was enacted to regulate telephone solicitations and to protect Ohio residents against illicit, deceptive, or otherwise exploitative telemarketing. Upon information and belief, the Defendant has failed to obtain and/or maintain a valid certificate of registration in accordance with R.C. § 4719.08(A) and R.C. § 4719.08(B). Per R.C. § 4719.14 this is an unfair and deceptive act in violation of R.C. § 1345.02. Per R.C. 1345.09(B). Plaintiff is entitled to \$200 damages for each of eleven, (11) violations of this regulation. The

plaintiff requests \$6000 in damages for TCPA, CPSA, TSSA violations.

Plaintiff demands judgment against Defendant in the sum of \$6000, plus court costs and interest.

COMPLAINANT'S OATH

Complainant states the following:

"I declare under penalty of law that this Complaint is true and correct to the best of my knowledge."

Kenneth Johansen
Kenneth Johansen

11-14-20
Date

I am filing the lawsuit as an individual or an individual doing business under a business name.